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UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

In Re Bard IVC Filters Products
Liability Litigation

No. MD-15-02641-PHX-DGC

**JOINT MOTION TO EXTEND DAUBERT
RESPONSE AND REPLY BRIEF PAGE
LIMITS AND EXTEND DEADLINE TO
FILE REPLY BRIEF TO MOTION FOR
SUMMARY JUDGMENT AND
PREEMPTION, REPLY BRIEF AND
MOTIONS TO SEAL**

The parties, through their attorneys undersigned, respectfully request that the Court extend *Daubert* response and reply brief page limits and extend Defendants' deadline to file their reply brief to their Motion for Summary Judgment and Preemption. The parties certify that they have conferred about the matters set forth below and hereby jointly agree to the following:

1. *Daubert* Responses and Replies. The parties agree that Plaintiffs' responses to *Daubert* motions may include five additional pages for a total of 22 pages and Defendants may have an additional three pages for a total of 16 pages for their replies in support of *Daubert* motions.

2. Motion for Summary Judgment on Preemption. The parties agree that Defendants shall have four additional business days up to and including **September 28, 2017** to file a reply brief in support of their Motion for Summary Judgment and Preemption.

3. Motions to Seal relating to Motion for Summary Judgment on Preemption. The parties agree that Bard's reply in support of its Motion to Seal filed on August 28, and Bard's Motion to Seal relating to Plaintiffs' Notice of Lodging Documents under seal filed on September 1, 2017 and amended on September 15 shall also be extended four additional business days up to and including **September 28, 2017**.

The parties believe that good cause exists for the requested extension of the *Daubert* response and reply brief page limits and extension of Defendants' deadline to file their reply brief to their Motion for Summary Judgment and Preemption and Reply the pending Motion to Seal and Motion regarding documents lodged under seal.

Respectfully submitted this 19th day of September, 2017.

GALLAGHER & KENNEDY, P.A. NELSON MULLINS RILEY & SCARBOROUGH

By: /s/ Mark S. O'Connor

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7 **CERTIFICATE OF SERVICE**

8 I hereby certify that on this 19th day of September, 2017, I electronically transmitted
9 the attached document to the Clerk's Office using the CM/ECF System for filing and
10 transmittal of a Notice of Electronic Filing.

11 /s/ Gay Mennuti